

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT A. WITZKE,

Plaintiff

v.

Case No. 2:16-13753
District Judge Arthur J. Tarnow
Magistrate Judge Anthony P. Patti

RUSS MARLAN and
ALEX J. SMITH,

Defendants.

**ORDER GRANTING PLAINTIFF'S *EX PARTE* APPLICATION FOR
LEAVE TO POSSESS A CELLULAR PHONE WHEN IN THE U.S.
COURTHOUSE IN CONNECTION WITH THE INSTANT CASE (DE 34)**

Currently before the Court is the above-described motion, which was filed on October 22, 2017. Neither Defendant has filed a response; therefore, the motion is unopposed.

Upon consideration, Plaintiff's *ex parte* application for leave to possess a cellular phone when in the U.S. Courthouse in connection with the instant case (DE 34) is **GRANTED**, subject to the limitations that the ringer must be turned off and the device may not be used for making audio or video recording anywhere in the Courthouse.

IT IS SO ORDERED.

Dated: November 14, 2017

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on November 14, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti